



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

SACHI A. HAMAI
Interim Chief Executive Officer

June 12, 2015

Board of Supervisors
HILDA L. SOLIS
First District

MARK RIDLEY-THOMAS
Second District

SHEILA KUEHL
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

To: Mayor Michael D. Antonovich
Supervisor Hilda L. Solis
Supervisor Mark Ridley-Thomas
Supervisor Sheila Kuehl
Supervisor Don Knabe

From: Sachi A. Hamai
Interim Chief Executive Officer

MOTION TO OPPOSE SENATE CONSTITUTIONAL AMENDMENT 8 (ITEM NO. 9, AGENDA OF JUNE 16, 2015)

Item No. 9, on the June 16, 2015 Agenda, is a motion by Supervisor Knabe recommending that the Board of Supervisors oppose Senate Constitutional Amendment (SCA) 8 (Mendoza), which would require counties with more than 2 million residents to have seven or more supervisors beginning with the 2020 United States census.

SCA 8 - Charter Counties: Board of Supervisors: Redistricting

The California Constitution requires the board of supervisors of a charter county to consist of five or more members. The Constitution also subjects charter counties to statutory apportionment of population by district. After each decennial Federal census, a county board of supervisors must adjust the boundaries of each supervisorial district so that the districts are nearly equal in population and in compliance with Federal law.

SCA 8 (Mendoza), which as introduced on May 11, 2015, would provide for a ballot initiative seeking statewide voter approval for an amendment to the California Constitution to require counties with a population of more than 2 million residents to provide for a governing body of seven or more supervisors beginning with the 2020 United States census. As currently drafted, SCA 8 would apply to Los Angeles, Orange, Riverside, San Bernardino, and San Diego counties.

In addition, SCA 8 contains provisions that would require that the budget of each county executive office or governing body with a population of more than 2 million residents not exceed an amount proportional to the amount budgeted for that purpose in FY 2020-21. As an example, if SCA 8 is enacted, it would require that the budgeted amount for a five member Board in FY 2020-21 remain the same budget amount for the newly constituted seven member Board.

"To Enrich Lives Through Effective And Caring Service"

***Please Conserve Paper – This Document and Copies are Two-Sided
Intra-County Correspondence Sent Electronically Only***

County Analysis

Under existing law, the County Charter provides Los Angeles County voters with the ability to determine its desired form of government. Currently, the Charter provides for a governing board of five members, in which the County is divided into five supervisorial districts, the boundaries of which can be changed by a two-thirds vote of the Board of Supervisors. These and any County Charter provisions may be amended as proposed by the Board of Supervisors or an initiative petition, and any amendment must be approved by a majority vote of the electors of the County. As such, Los Angeles County citizens already have the option to consider expansion of the membership of the Board of Supervisors by voting to amend the County Charter.

Los Angeles County voters have considered two previous ballot measures to increase the membership of the Board. On June 20, 2000, the Board voted to call a special election to place a charter amendment on the ballot that would have increased the Board's membership from five to nine. The proposed amendment, which was placed on the November 7, 2000 ballot, was rejected by County voters by a 64 percent vote. In November 1992, County voters considered a charter amendment to expand the Board of Supervisors from five to nine members, but the proposal also failed passage by a 2 to 1 margin.

The Executive Office of the Board expresses concerns regarding the provisions of SCA 8 that would prohibit the County from increasing the budget that supports Board offices and operations despite the mandated addition of two new Board members. The Executive Office of the Board notes that the proposed added Board member positions could require necessary increases in on-going operational and staffing costs to adequately support their administration, including central office operations and local district services.

In addition, the Executive Office of the Board notes that SCA 8 limits the expenditures for the governing body and its staff, but fails to adequately define what constitutes Board staff. This could be problematic for large counties because county executive offices of the board not only support board offices, but also staff various board-appointed commissions and committees. Finally, the Executive Office of the Board indicates that if SCA 8 is enacted and changes the composition of the Board of Supervisors, it will likely require composition, structure, and/or procedural changes for the County's over 190 commissions and committees.

Support and Opposition

Currently, there is no registered support for SCA 8. The measure is opposed by San Bernardino County. The California State Association of Counties (CSAC) and the Urban Counties Caucus (UCC) oppose SCA 8, unless it is amended to preserve local control by providing a local option to subject changes in the representation of the governing body of a county to voter approval in the county where the change is sought. In addition, CSAC and the UCC indicate that such a measure should not include any constraint on costs related to the expansion of the board of supervisors.

Status

SCA 8 is pending hearing in the Senate Governance and Finance Committee. If approved by a two-thirds vote of the Legislature, this measure would be placed on a statewide General Election ballot as early as November 2016.

Conclusion

There is no existing Board-approved policy to oppose legislation which would alter the membership of the County's governing body. **Therefore, opposition to SCA 8 is a matter for Board policy determination.**

However, it should be noted that approval of the motion to oppose SCA 8 is consistent with **County opposition of SCA 7 (Polanco) of 2000**, which is substantially similar to SCA 8. SCA 7 proposed amending the California Constitution to require that a charter county with a population of more than 5 million residents be governed by a board of nine or more members. In opposition to SCA 7, the Board indicated that the measure would have utilized the power of the State to make a decision that should remain under local control. The Board also noted that under SCA 7, Los Angeles County voters would have ceded the right to determine their form of government to voters up and down the State. SCA 7 failed passage out of the Assembly Elections, Reapportionment and Constitutional Amendments Committee.

We will continue to keep you advised.

SAH:JJ:MR
PC:ma

c: Executive Office, Board of Supervisors
County Counsel